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4                                  UNITED STATES DISTRICT COURT

5                               NORTHERN DISTRICT OF CALIFORNIA

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7    BRIGHTEDGE TECHNOLOGIES, INC.,          Case No.  14-cv-01009-WHO   (MEJ)

            Plaintiff,

8                                            **DISCOVERY ORDER**

        v.
9                                            Re: Dkt. Nos. 63, 65-66

    SEARCHMETRICS, GMBH., et al.,

10           Defendants.

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13          Pending before the Court are three discovery letters from the parties.  In the first, Plaintiff

14   BrightEdge requests that the Court compel Searchmetrics to produce its entire Sugar CRM

15   database, including all versions of the database saved over time and any logs which evidence

16   changes made to the database.  Dkt. No. 63.  In the second, BrightEdge requests that the Court

17   deny Searchmetrics' request that the Model Stipulated Protective Order apply in this case, and that

18   the Court order Searchmetrics to search for and produce all nonprivileged email responsive to

19   BrightEdge's Document Requests.  Dkt. No. 65.  In the alternative, BrightEdge requests that the

20   Court enter BrightEdge's Proposed Order Regarding Email Discovery, attached as Exhibit A to

21   the letter, and order Searchmetrics to search for and produce email responsive to BrightEdge's

22   Phase One requests.  *Id.*  Searchmetrics requests that the Court enter the Model Order.  *Id.*  In the

23   third, BrightEdge requests that the Court compel Searchmetrics to respond after a proper

24   investigation to 19 requests for production.  Dkt. No. 66.  Searchmetrics requests that the Court

25   deny BrightEdge's request to compel the production in response to these overbroad requests and

26   deny BrightEdge's premature request for a date by when the parties must substantially complete

27   document production.  *Id.*

28          Upon review of the parties' positions, the Court ORDERS as follows:

United States District Court
Northern District of California

1    1)    Searchmetrics shall produce the CRM database documents, as narrowed by its representations in the joint letter.  If BrightEdge is not satisfied by Searchmetrics' production, the parties shall further meet and confer in compliance with the undersigned's Discovery Standing Order;

2)    Searchmetrics shall produce all nonprivileged email responsive to BrightEdge's document requests, subject to the Model Stipulated Protective Order.  If BrightEdge is not satisfied by Searchmetrics' production, the parties shall further meet and confer in compliance with the standing order; and

3)    Searchmetrics shall produce the 19 categories of documents, as narrowed by its representations in the joint letter.  If BrightEdge is not satisfied by Searchmetrics' production, the parties shall further meet and confer in compliance with the undersigned's standing order.

Searchmetrics' production shall take place by October 21, 2014.

**IT IS SO ORDERED.**

Dated: October 7, 2014

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MARIA-ELENA JAMES
United States Magistrate Judge

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